

Magistrate Judge Mary Alice Theiler

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff

V.

SCHUYLER PYATTE BARBEAU,

Defendant.

| NO. MJ15-542

MOTION FOR DETENTION

The United States moves for pretrial detention of the Defendant, pursuant to 18 U.S.C. § 3142(e) and (f).

1. **Eligibility of Case.** This case is eligible for a detention order because this case involves (check all that apply):

- Crime of violence (18 U.S.C. 3156).
- Crime of Terrorism (18 U.S.C. 2332b (g)(5)(B)) with a maximum sentence years or more.
- Crime with a maximum sentence of life imprisonment or death.
- Drug offense with a maximum sentence of ten years or more.

1 Felony offense and defendant has two prior convictions in the four
 2 categories above, or two State convictions that would otherwise fall within these four
 3 categories if federal jurisdiction had existed.

4 Felony offense involving a minor victim other than a crime of violence.
 5 Felony offense, other than a crime of violence, involving possession or use
 6 of a firearm, destructive device (as those terms are defined in 18 U.S.C. 921), or any
 7 other dangerous weapon.

8 Felony offense other than a crime of violence that involves a failure to
 9 register as a Sex Offender (18 U.S.C. 2250).

10 Serious risk the defendant will flee.
 11 Serious risk of obstruction of justice, including intimidation of a
 12 prospective witness or juror.

13 2. **Reason for Detention.** The Court should detain defendant because there
 14 are no conditions of release which will reasonably assure (check one or both):

15 Defendant's appearance as required.
 16 Safety of any other person and the community.

17 3. **Rebuttable Presumption.** The United States will invoke the rebuttable
 18 presumption against defendant under 3142(e). The presumption applies because:

19 Probable cause to believe defendant committed offense within five years of
 20 release following conviction for a qualifying offense committed while on pretrial release.

21 Probable cause to believe defendant committed drug offense with a
 22 maximum sentence of ten years or more.

23 Probable cause to believe defendant committed a violation of one of the
 24 following offenses: 18 U.S.C. 924(c), 956 (conspiracy to murder or kidnap), 2332b (act
 25 of terrorism), 2332b(g)(5)(B) (crime of terrorism).

Probable cause to believe defendant committed an offense involving a victim under the age of 18 under 18 U.S.C. 1591, 2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1) through 2252(a)(3), 2252A(a)(1) through 2252A(a)(4), 2260, 2421, 2422, 2423 or 2425.

4. **Time for Detention Hearing.** The United States requests the Court conduct the detention hearing:

At the initial appearance
 After a continuance of ___ day (not more than 3)

DATED this 7th day of December, 2015.

Respectfully submitted,

ANNETTE L. HAYES
United States Attorney

/s/ Thomas M. Woods
THOMAS M. WOODS
Assistant United States Attorney
United States Attorney's Office
700 Stewart Street, Suite 5220
Seattle, WA 98101
Phone: (206) 553-4312
Fax: (206) 553-0755
E-mail: Thomas.Woods2@usdoj.gov

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on December 7, 2015, I electronically filed the foregoing with
3 the Clerk of the Court using the CM/ECF system which will send notification of such
4 filing to the attorney of record for the defendant.

5
6 /s/ Salee Porter
7 SALEE PORTER
8 Legal Assistant
9 United States Attorney's Office
10 700 Stewart Street, Suite 5220
11 Seattle, WA 98101
12 Phone: (206)553-4345
13 Fax: (206) 553-0755
14 E-mail: Salee. Porter@usdoj.gov